

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.20771 of 2022

Date of decision: 16th January, 2023

Satyawart Kundu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pawan K. Hooda, Advocate for the petitioner.

Mr. Surender Singh, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.172 dated 18.09.2021 under Sections 34, 420, 467, 468, 471 IPC registered at Police Station Sector 27, Sonipat.

Learned counsel for the petitioner submits that in compliance of the order dated 16.05.2022, the petitioner joined the investigation as and when called and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Daljeet, does not dispute the factum of the petitioner having joined the investigation and cooperated with the investigating agency. However, on further instructions he submits that custodial interrogation of the

petitioner is required to ascertain from where the alleged fake Special Power of Attorney was obtained.

I have heard learned counsel for the parties and perused the relevant material on record.

In view of the fact that the offences alleged to have been committed by the petitioner are triable by Magistrate and once, he has joined investigation and cooperated with the investigating agency, this Court does not deem it appropriate to subject the petitioner to custodial interrogation. However, it is clarified that the petitioner shall keep joining the investigation and cooperate with the investigating agency as and when called for. Accordingly, the petition is allowed and the interim order dated 16.05.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

January 16, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No